

## INTERVIEW SUMMARY BY APPLICANT

At the outset, the Applicant acknowledges with appreciation the courtesy extended by the Examiner during the telephone interview conducted November 1, 2006. During the interview, the Applicant's representative presented the following arguments for patentability. The classifier used in the primary reference is not a maximum likelihood classifier. The applied reference does not form a statistical description in accordance with the types of structures identified and an exemplar input. While the reference does use training images, those are used to form an eigenvector classifier.

In response, the Examiner argued that the maximum likelihood classifier recited in the claims could cover the eigenvector classifier of *Young et al.* She indicated that the rejection might be overcome if the Applicant added claim language more fully describing the maximum likelihood classifier, although she also indicated that maximum likelihood classifiers are known in the art. With regard to the exemplar input, the Examiner said that an exemplar input as broadly recited in the claims would include the training images of *Young et al.*, although, again, she indicated that the rejection might be overcome if the Applicant added claim language stating what the exemplar input is and how it differs from training images.

## REMARKS

The Office Action mailed June 26, 2006, has been carefully considered. In response thereto, the present application has been amended in a manner which is believed to place it into condition for allowance. Accordingly, reconsideration and withdrawal of the outstanding Office Action and issuance of a Notice of Allowance are respectfully solicited in view of the foregoing amendments and the following remarks.

The claims have been amended to define the maximum likelihood classifier as one which globally maximizes a discriminant function, in accordance with page 7 of the specification, and to define the exemplar input as an identification of a seed or exemplar region in the image, in accordance with page 8 of the specification

Claims 1, 6, 7, 10-14, 18, 23, 24, and 27-30 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,625,303 (*Young*). The Applicant respectfully submits that the present Amendment overcomes that ground of rejection.

The applied reference uses an eigenvector classifier. It does not teach or suggest a maximum likelihood classifier which globally maximizes a discriminant function, as called for in the amended claims. Moreover, it would not even have been obvious to substitute a maximum likelihood classifier for the eigenvector classifier of the applied reference, as the applied reference in column 5 teaches the importance of using an eigenvector classifier in the method thereof. Thus, the applied reference, far from anticipating the present claimed invention, in fact teaches away from the present claimed invention.

Nor does the reference teach or suggest using an exemplar input which comprises an identification of a seed or an exemplar region *in the image* (i.e., in the same image which is to be analyzed). Instead, the reference teaches the use of training data. By using an identification of a seed or an exemplar region in the same image, the present claimed invention offers an advantage in terms of not requiring training data.

Claims 2-4, 8, 9, 19-21, 25, and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the patent to *Young* in view of U.S. Patent Application No. 2002/0122596 (*Bradshaw*). Claims 2 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the patent to *Young* in view of U.S. Patent Application No. 2001/00363302 (*Miller*). Claims 15-17 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the patent to *Young* in view of U.S. Patent No. 7,027,650 (*Williame et al.*). Since none of the secondary references overcome the above-noted deficiencies of the primary reference, the Applicant respectfully submits that all of the above grounds of rejection are moot.

In light of the above, the Applicant respectfully submits that the application is in condition for allowance. Notice of such allowance is earnestly solicited.

If there remain any issues that can be overcome most easily through a telephonic interview, the Examiner is invited to telephone the undersigned at the telephone number set forth below.

Please charge any deficiency in fees, or credit any overpayment thereof, to BLANK ROME LLP, Deposit Account No. 23-2185 (116741-00215). If an extension of time is required to render this submission timely and either is not filed concurrently herewith or is insufficient to render this submission timely, the Applicants hereby petition under 37 C.F.R. § 1.136(a) for such an extension for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully Submitted,



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